
UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

IN RE: Stryker Rejuvenate and ABG II
Hip Implant Products Liability Litigation

MDL No. 13-2441 (DWF/FLN)

This Document relates to:

MARVIN A. SMITH

Plaintiff

vs.

Case No. 0:14-cv-02675

HOWMEDICA OSTEONICS d/b/a
STRYKER ORTHOPAEDICS, STRYKER
CORP., STRYKER SALES
CORPORATION and STRYKER
IRELAND LIMITED,

Defendants.

NOTICE OF VOLUNTARY DISMISSAL

Pursuant to Rule 41(a)(1)(i) of the Federal Rules of Civil Procedure, Plaintiff by and through his undersigned attorneys, requests that Plaintiff's Complaint and all claims asserted in this action are dismissed without prejudice as to all Defendants and each party to bear its own costs. This dismissal is a result of a duplicative action filed on behalf of the above named plaintiff. Plaintiff will continue in New Jersey Courts, Bergen County, under Civil Action No. L 006500-14, Multicounty Litigation No. BER-L-936-13.

Date: April 28, 2015

Respectfully submitted,

/s/ Tonya L. Melnichenko

Tonya L. Melnichenko

Co. Bar. 32152

melnichenkot@fdazar.com

FRANKLIN D. AZAR & ASSOCIATES, P.C.

14426 East Evans Avenue

Aurora CO 80014

Telephone: 303-757-3300

Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on 28th day of April, 2015 I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all attorneys of record.

/s/ Barbara Windmeyer

Barbara Windmeyer

IT IS SO ORDERED.

DATED: _____

THE HONORABLE JUDGE DONOVAN W. FRANK